

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

In re:	)	Chapter 11
	)	
FLEMING COMPANIES, INC., et al.,	)	Case No. 03-10945 (MFW)
	)	(Jointly Administered)
Debtors.	)	
	)	Adv. Pro. No. 03-53069
	)	
FLEMING COMPANIES, INC., et al.	)	
	)	
Appellants,	)	
	)	
vs.	)	District Court Case No. 04-0284-SLR
	)	
FARRIS PRODUCE, INC. MILES	)	
FARMERS' MARKET, FOSTER	)	
POULTRY FARMS, INC., and LEWIS	)	
BAKERIES, INC., individually and on	)	
behalf of all persons similarly situated,	)	
	)	
Appellees.	)	

**ORDER**

Upon agreement of the parties, it is ORDERED that this Appeal is hereby dismissed, with prejudice, each party to bear its own costs.

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The Honorable Sue L. Robinson  
Chief Judge, United States District Court